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Arab Human Rights Report on Iraq, Kuwait

92AE0190A Beirut AL-SAFIR in Arabic 24, 25 Dec 91

[Report by Arab Human Rights Organization: "Human Problems in Kuwait and Iraq After War"]

[24 Dec p 11]

[Text] The Arab Human Rights Organization formed a delegation to visit Kuwait and Iraq, during which it investigated human conditions (prisoners, captives, missing persons, and general conditions). It submitted the following report:

Initial Report of Arab and Egyptian Human Rights Organizations Joint Delegation Visit to Kuwait and Iraq (November-December 1991)

The report of the Arab and Egyptian Human Rights Organizations on conditions since the end of the Gulf war concluded that there is an urgent need to eliminate human problems left behind both in Kuwait and Iraq by the war. The problems start with prisoners and missing persons on both sides, to the effects of the economic blockade on the Iraqi people and the significant problems of the large Arab colonies in the two countries, and end with the urgent need to develop civil and political rights in both countries.

Since the war's end, the two organizations have maintained a strong relationship with the Embassy of Kuwait and the Iraqi representation in the Arab League in Cairo, aimed at investigating the facts about certain situations after the war. A serious dialogue was opened on human rights issues in the two countries. After obtaining approval from the authorities in the two countries for the visit of a joint delegation to ascertain the facts, all official and private organizations concerned were invited to provide their information and views on the abovementioned problems. The delegation has received a great deal of useful data and views on this.

The delegation was composed of Muhsin 'Awad, assistant secretary general of the Arab Human Rights Organization, representing the Arab organization; Najad al-Bar'i, member of the Executive Office of the Egyptian organization, representing the Egyptian organization; and the head of the delegation, Dr. Nadir Farjani, who holds membership on both the Arab and Egyptian organizations' boards of directors.

The delegation held serious and intense discussions with officials in the two countries on the principal issues. The officials took the time to listen to the delegation's views and proposals, dealing with necessarily difficult conditions and sensitive problems, although the degree of compliance with the delegation's proposals differed from one matter to another and among officials in both countries. The delegation thought it best to avoid holding discussions with the media until it had finished evaluating the results of its efforts.

This initial report is subject to contacts that the joint delegation made in both Kuwait and Iraq, and will be published later as a final report, after the two organizations are provided with the data that the delegation requested from these countries regarding certain important issues discussed during the visit.

Kuwait

The delegation's visit to Kuwait lasted four days, from 22 to 26 November 1991, and the agenda encompassed six topics:

- The issue of Kuwaiti prisoners and missing persons in Iraq;
- The state of Arab colonies, particularly Palestinians, in Kuwait;
- Kuwait's international commitments to human rights, in terms of ratified international agreements and respect for international pledges;
- The government's permission was sought for human rights organizations to pursue activities in Kuwait, especially the Arab Human Rights Organization branch in Kuwait and the Society To Defend War Victims;
- Civil and political rights in Kuwait; and,
- Follow-up to certain human rights situations reported to the organization.

The delegation was granted official meetings with the crown prince and prime minister, with the minister of justice, the prosecutor general, the undersecretary of the Ministry of Justice, representatives from the Foreign Ministry, and members of the Executive Office of the Committee for Prisoner and Missing Persons Affairs. The delegation also met with the Egyptian ambassador to Kuwait.

The delegation also held many non-governmental meetings. It met with officials of the Follow-up Committee on Prisoners and Missing Persons Affairs of the National Assembly, members of alumni associations lawyers' associations, the Arab Human Rights Organization, the Kuwaiti Committee to Defend War Victims, and persons from the Arab colonies in Kuwait from various countries. It also held a long working session with the head of the International Red Cross [IRC] office in Kuwait, and visited certain newspaper headquarters.

1. Persons Missing From Kuwait

The problem of "prisoners and missing persons" attracted enormous official and popular attention during the delegation's deliberations in Kuwait. The delegation was concerned with two pivotal points in this problem: information, and the mechanism to move the situation forward to a satisfactory solution. The importance was evident in the serious efforts being made on the popular level vis-a-vis this problem.

With regard to information, the delegation talked to the National Committee for Prisoner and Missing Persons Affairs about the Kuwaiti official list [of missing persons] which, at the time of the visit, contained 2,101 cases. This list was used by the joint committee formed between the coalition nations and the Government of Iraq as a basis to resolve this problem. However, the listing of some names of deceased persons and some who have returned to Kuwait has sullied the credibility of this list, as well as previous official lists.

The delegation requested that the list be scrutinized more carefully by checking with missing persons' relatives, their workplaces, and points of contact with the government administration. The delegation also asked for the documented information available for some cases on the official list who have been seen in Iraqi jails or detention camps.

The committee provided the delegation with a copy of the official list and with documented forms for about 80 missing persons' cases. Some personal pictures were provided with them. The delegation was also provided with two files containing information and pictures for 120 missing person cases, all Kuwaiti, with the exception of one Saudi. They included 21 documented cases, but the dossier did not contain documented information on them that was available to the committee.

With the Kuwaiti Society to Defend War Victims (non-governmental), the delegation studied the information that the society had collected independently. It had been diligent in verifying this information through field investigations of families of missing persons registered with the society in September 1991. Approximately half the families were contacted.

The society eventually compiled a list of 1,200 missing persons. It explained that the list does not contain all missing person cases, because some families registered only with the official committee.

Moreover, the society provided a list of missing persons that available evidence suggested had been seen in Iraqi jails or detention camps. This included more than 350 sightings (certain missing persons had multiple sightings). The society provided the delegation with all this data.

With regard to a mechanism for moving the situation forward, the delegation reviewed an Iraqi proposal to form a committee of two Iraqis, two Kuwaitis, and representatives of Arab and international popular organizations, to follow the problem, including inspecting jails and detention camps in Iraq.

The Kuwaiti Government expressed its position of commitment to act within the framework of coalition nations on the basis of the official Kuwaiti list, and stated that it did not wish to form committees to follow this matter, except within the framework of the Arab League or the UN Security Council or General Assembly, in order to ensure the committees' protection and effectiveness.

The delegation's position was based on close examination of the information submitted by the Kuwaiti authorities, and it urged the Iraqi Government to provide all possible information about persons missing from Kuwait, on the basis of a minimum list of those who have been seen in jails or detention facilities in Iraq, without discarding the official list. In addition, there was information on cases of those who had been justly detained under sentence, or who had died and for whom death certificates were issued by Iraqi authorities. The question of investigating jails and detention camps was left to the IRC Committee because of the status and expertise it enjoys in this field.

2. Arab Colonies in Kuwait

The delegation became convinced that the Arab colonies in Kuwait had suffered human rights violations in the period directly after the liberation. These violations were most severe against the largest colony in Kuwait, the Palestinians.

At the outset, it is necessary to clarify that some Palestinians had cooperated with the Iraqi authorities occupying Kuwait. It is also certain that other Palestinians participated in resisting this occupation alongside the Kuwaitis, and that some had died defending Kuwait. As expected, however, the majority remained passive, with the strong defending them. When the Kuwaitis' right to self-determination was violated and their human rights oppressed during the occupation, the moral basis for Kuwait's liberation was formed, but it is not right, from a human rights perspective, that these victims turn into human rights violators outside the law.

The delegation concluded that many Palestinians had been subjected to detention, mistreatment, and torture, forcible seizure, disappearance, and death, outside the law. The Kuwaiti authorities could not pursue or punish criminals.

One cause for satisfaction was that the public prosecutor promised to investigate specific reports that he receives in this regard. The delegation appeals to those who have specific information in this regard to submit it to the public prosecutor in Kuwait.

Moreover, it was clear to the delegation that the trials that were conducted under the aegis of martial law, in the atmosphere of impetuosity and anarchy directly following the liberation, lacked the sound principles of law. The delegation viewed the confessions as having been extracted under torture. Fortunately, the committee that reviewed the sentences decided to reduce the sentences of execution to life imprisonment.

Because of efforts made by the Public Prosecutor's Office to review investigations of cases that had not yet been brought before martial law courts, the vast majority of those cases were suspended, which may reduce the number of cases that will be tried in state security courts to several dozen instead of several hundred.

However, this development raises a legal question about the possible fate of those cases in which sentences were passed by martial law courts: What if they were subjected to calmer legal scrutiny, which would now be exercised? Undoubtedly, the sentences would have been considerably lighter.

Therefore, the delegation urged the Kuwaiti authorities to critically examine the cases in which sentences were passed under the aegis of martial law courts, and to carry out justice in them. Hopefully, this would include the emir's pardon for these cases on the next National Day.

In addition, work and living conditions for the Palestinian colony have seriously deteriorated as a result of government measures and the generally hostile atmosphere surrounding them in Kuwait. For example, the government has decided to terminate the service of all non-Kuwaitis, retroactive to 2 August 1990, and to restore only a limited number of Palestinians to government service. In addition, there is a prohibition on renewing residence permits for Palestinians whom the private sector is unable to employ, as well as not allowing those who left during the incidents to return. All of this has led to a reduction of the Palestinian colony in Kuwait from approximately 400,000 before the invasion, to only 50,000 at the time of the delegation's visit. This has exposed many of those who left the country, or who were exiled, to considerable difficulties and human problems.

Unemployment is spreading among the few remaining Palestinians. The government is also linking payment of end-of-service compensation with departure from the country, and is gradually excluding non-Kuwaitis from public service.

These conditions are causing many Palestinian families to face human crises, resulting in reduced possibilities of satisfying their basic needs, and forcing them to leave the country, despite their having important interests in Kuwait, such as children being close to finishing their education.

Palestinians who carry travel documents, which are mostly Egyptian with some Syrian, represent the largest segment of Palestinians. The documents that they possess do not permit them to enter the country that issued the document, nor any other country. These people number nearly 25,000. They belong to protected groups for whom the Kuwaiti Government bears legal responsibility by virtue of its signing the Geneva Accords, which forbid exiling such persons. They legally have no nationality, except for the country that accepts them and with which they are satisfied.

The delegation asked the Kuwait officials to extend the term of Palestinians' residence permits (which it has been decided will be terminated at the end of this year (1991)), permit the payment of end-of-service compensation without expatriation in cases whose human circumstances require remaining in Kuwait for a period that will enable their situations to be satisfactorily

arranged, and to give special attention to the cases of travel document holders. The crown prince and prime minister recently promised to do this. The delegation also asked the Egyptian and Syrian Governments, the PLO, and the Arab League to take responsibility for resolving the conditions for this group of travel document holders, to ensure them stability and a decent life.

3. International Commitments to Human Rights

In this regard, the delegation raised two questions: Kuwait's membership in international agreements pertaining to human rights, and the guarantee of respect for Kuwait's international commitments. In this area, the delegation called on the Kuwaiti Government to join these agreements, especially those sponsored by the UN, especially the International Treaty for Civil and Political Rights. Until Kuwait is a member of these agreements, many obligations and commitments that weigh on the human conscience will not go away.

Kuwaiti officials gave a clear response to this request and promised to consider joining these agreements. They also stated that the matter has the Kuwaiti Government's attention, and that it has, in fact, signed the International Agreement on Children's Rights. They have also signed an agreement to host an IRC headquarters in Kuwait.

4. Human Rights Movement in Kuwait

The delegation praised the role played by the human rights movement in Kuwait, especially in the difficult circumstances during the ordeal. The delegation called for legal status for established human rights groups, especially the Arab Human Rights Organization, the Society to Defend War Victims, and Amnesty International. Officials responded clearly to these requests. Some of them stated that discussion was already underway with society officials on legalizing the structure of the Kuwaiti Society to Defend War Victims, including expanding this system to include human rights as a whole, and not just concern with war victims. They also promised to consider granting legal status to the Arab Human Rights Organization in Kuwait.

5. Civil and Political Rights

The delegation expressed the Arab Human Rights Organization's satisfaction with the government's commitment to end martial law at the designated time. The delegation raised certain issues pertaining to organizational and political rights, including general freedoms and the need to broaden freedom of the press and the right to peaceful assembly. This should be done well before the elections scheduled for 1992, in order to give citizens the opportunity to express their views and concerns and to compete on a just basis. This would include the new law to reorganize the judicial authority, about which some legal circles have raised concerns about its infringement on the judicial authority's independence. This would also include the role of the Public Prosecutor's Office in supervising the prisons. It became

clear to the organization that this supervision is only over public prisons, and does not extend to other prisons and detention centers, such as those belonging to the state security police or to detention in police stations, as well as prisons subordinate to the Office of Forensic Medicine in the Ministry of Interior. Finally, this would also include specific issues or practices, such as the position of Kuwaiti authorities on the question of the stateless [al-bidun], the power of administrative expulsion of non-Kuwaitis, and the transfer of the Ministry of Interior's control over ruling on misdemeanors.

The Kuwaiti officials' positions differed on the following issues:

A. The officials disputed broadening freedoms on legal grounds, while the delegation argued that the highest ideal was the international legitimacy of human rights and that, even if the matter requires reconsidering laws to make them compatible with necessity, they should still broaden freedoms.

B. Officials also stressed that the new law to reorganize the judiciary puts restrictions on the independence of this authority, and that the points of disagreement raised were limited and easily corrected. Some of these officials expressed willingness to discuss, in detail, the problems raised by the Arab Human Rights Organization about this law. The organization will bring this to the consideration of Kuwaiti officials.

C. The public prosecutor welcomed the invitation to extend the Public Prosecutor's Office's oversight over all detention centers in Kuwait, as well as the call to transfer jurisdiction over forensic medicine to the Ministry of Justice, instead of the Ministry of Interior.

D. As for the question of those without nationality [al-bidun], no response was forthcoming from officials. In this regard, they reiterated the official position about the historic development of this problem. They differentiated between two groups of stateless people. The first includes those who concealed their nationality in order to enjoy the privileges that the government had decreed in order to encourage foreign labor, while the second group consists of nomadic bedouin. They explained that the government—before the invasion—had formed a committee to study this matter and had looked at ways to deal with specific cases in accordance with the conditions laid down. However, work in this committee stopped after the invasion, and since the Iraqis left behind large numbers of stateless, there isn't any proof of their prior existence in the state.

E. Regarding the power of administrative expulsion over non-Kuwaitis and the delegation's call for entrusting the power to a judicial body whose decisions could be appealed to higher authority, so that the administrative court could be prevented from considering these decisions, the officials argued that this was compatible with the constitution (Article 101) and fell within the context of acts of sovereignty. The delegation emphasized the legal viewpoint that the decisions radically affected

social and economic rights of the residents and, consequently, should be subject to judicial supervision.

F. The delegation thinks that strengthening the judiciary's authority in Kuwait would require extending its authority over misdemeanors, which still fall under the jurisdiction of the Ministry of Interior.

6. Human Cases

The delegation discussed with Kuwaiti officials some of the human rights cases that have been referred to the Arab Human Rights Organization, such as the case of Mrs. Ahlam Muhammad Amin. She is an Iraqi citizen who was working as a teacher in Kuwait. She was arrested immediately after the Iraqi forces withdrew. The organization became concerned with humanitarian details, since this woman was pregnant. Her husband had disappeared in Kuwait during the first weeks of the occupation; her four children remained with her in prison until the International Red Cross took them and sent them to relatives in Iraq on 23 October 1991.

The public prosecutor stated that this woman's case was among cases being reviewed at the conclusion of martial law. She faces a charge of organizing Ba'thist cells in Kuwait. The fact that her children remained with her in prison was at her request, and they are still with her [as published]. The delegation pursued the this woman's case when it visited Iraq and met with her children.

[25 Dec p 11]

[Text] This is the second and last installment of the Arab Human Rights Organization's initial report on human problems in Kuwait and Iraq after the Gulf war:

Iraq

The visit to Iraq lasted seven days, from 30 November to 6 December 1991. The agenda contained the following items:

- Effects of the war and economic blockade on human conditions in Iraq;
- Situation of prisoners and missing persons from Kuwait, and the question of those demanding return to Kuwait;
- The Egyptian colony's situation in Iraq;
- Human conditions in the north and south, in light of political disturbances;
- Discussion of civil and political rights in Iraq; and,
- Completing ratification of international human rights charters.

During its visit to Iraq, the delegation met with the ministers of state for foreign affairs, health, and trade; the advisor to the foreign minister; the director general of the Ministry of Interior; a representative from that Ministry's Criminal Investigation Branch; representatives from the Foreign Ministry's Human Rights Division and Administrative and Consular Bureaus; and the chief public prosecutor in the Ministry of Justice.

The delegation also met with the head of the International Red Cross (IRC) mission in Iraq, certain members of the Lawyers' Guild, members of the Iraqi Human Rights Committee, Members of the advisory board formed by the Foreign Ministry to guide deliberations on human rights issues, and certain members of the Egyptian colony from various social groups.

From the beginning of the visit, the delegation was anxious to submit all its inquiries and lists to officials, so that they could have comments at the appropriate time. The delegation appreciates the Iraqi authorities' excellent cooperation. (N.B.: The delegation was committed not to go into the results of its mission during the visit. Nevertheless, Iraqi television and certain newspapers reported delegation statements that it had not made.) Iraq, through its government representatives, pledged to respond rapidly to the delegation's requests. We hope that this includes the delegation's final report.

1. Effects of War, Economic Blockade on Human Conditions in Iraq

This matter headed the list of the Iraqi authorities' concerns. It was raised by all officials with whom the delegation met. The delegation visited the al-'Amiriyah al-Shahir Asylum, a large hospital in one of Baghdad's poorer neighborhoods. The minister of trade explained rationing problems to the delegation; The government provides shares of basic commodities to residents at subsidized prices, although this now represents only 40 percent of what used to be available. Moreover, the minister of trade reviewed the obstacles to Iraq's obtaining food and medicine within the framework of Security Council Resolutions 687 and 706. He recalled that the Western governments refused to release Iraq's funds in order to purchase food and medicine, in accordance with the first resolution. As for the second resolution, the Iraqi Government considers it an infringement of Iraqi sovereignty and fraught with many practical difficulties. The minister of health also reviewed for the delegation the medicine and infant formula situation. He supplied a list of contracts that he said he had signed with European countries, but he said that the governments of these countries refused to cover these contracts from Iraqi funds frozen in those countries' banks. The delegation also tried to directly investigate the availability of food in markets, as well as prices, even though its efforts were confined to Baghdad.

The delegation confirmed the position that the Arab and Egyptian Human Rights Organizations have previously and repeatedly expressed, to the effect that the coalition nations' destruction of the Iraqi infrastructure, and the many civilian casualties that could have been avoided, represent a blatant abuse of international principles observed in war, and are considered clear violations of the avowed purpose of that war—the liberation of Kuwait—which turned into the malicious objective of destroying the Iraqi people's social and economic means of support.

Furthermore, the delegation was convinced as to the clear availability of commodities in Baghdad markets, including luxuries, although at steeply increased prices compared to those in Iraq a few years ago. This puts people with limited or fixed incomes in considerable danger of being less able to satisfy their basic needs. Contributing to this problem is the actual value of the Iraqi dinar, which currently does not exceed 3 percent of its official rate against the U.S. dollar.

The delegation views with considerable alarm the fact that medicine and baby formula are the scarcest commodities in Iraq, which results in an increasingly deteriorating health situation for children and the ailing, especially in weaker social groups.

The delegation demands that the international community provide these commodities without delay, using the Iraqi funds frozen in several European nations, within the context of Resolution 687. The delegation considers England's recent release of a part of these funds to purchase food and medicine to be a good omen in this regard. The delegation was also privy to information that other European countries might be willing to release frozen funds for the same humanitarian purpose.

The delegation calls on the Iraqi Government to quickly adopt the political and economic measures required to achieve the goal of obtaining the urgently-needed food and medicine.

2. Missing Persons From Kuwait and Those Demanding Return to Kuwait

The delegation's discussion of these matters with Iraqi authorities was confined to the Foreign Ministry, particularly the Legal Office, although it was made clear to the delegation that the Foreign Ministry's jurisdiction over this matter was not total.

The delegation adopted the perspective that the Iraqi Government's cooperation in attaining a satisfactory solution to the problem of persons missing from Kuwait would help to mend the rift in Arab relations and strengthen the opportunity to lift the economic blockade against Iraq. The delegation explained the strong feelings among the government and people in Kuwait about the question of missing persons.

The delegation gave the Iraqi authorities a list that had been compiled from several sources, most importantly, the National Committee for Prisoner and Missing Persons Affairs in Kuwait and the Kuwaiti Society to Defend War Victims, after careful investigation. It contains nearly 180 names, about whom information existed concerning sightings in Iraqi places of detention. This list also includes information available on them from Iraqi authorities, because the delegation had requested information about those persons.

The delegation also asked the Iraqi Government for lists of the status of its residents in Kuwait prior to 3 August 1990, who were detained in Kuwait or Iraq; or against

whom sentences were passed, whether served or still being served; or who are deceased; and whether or not death certificates were issued for them by Iraqi authorities. All this would help to make available more precise data concerning missing persons from Kuwait. Iraqi Government representatives promised to provide the requested data as soon as possible. The delegation stressed that the issuing of new identity cards to Arab citizens in Iraq, which began in early December, would provide a good opportunity to obtain the requested information.

In light of the brevity of the visit to Iraq and the poor investigative and examination resources, the delegation preferred not to visit Iraqi prisons or to investigate the presence of Kuwaitis in Iraq. However, from the start of its mission in Iraq, the delegation asked to visit a family of Kuwaitis, headed by a person of political importance. Some delegation members had personal information about them, as well as confirmed information that they were in Iraq. Despite the delegation's insistence, it was unable to meet with members of this family during this visit. Representatives of the Iraqi Government used the excuse that they were unable to ascertain the family's place of residence!

Representatives of the Iraqi Government complained about using the problem of missing persons from Kuwait as a means of political pressure. They emphasized that the Iraqi Government's position in this regard was to deal with the facts without concealment and to return detainees from the Al Sabah family. They also that the more than 6,000 individuals turned over to Kuwaiti authorities via the IRC Committee was evidence of good faith. The Iraqi authorities, through cooperation with the IRC Committee, in accordance with the decisions of the joint committee of the coalition nations and the Iraqi Government, have tried to obtain information on the missing persons and have allowed the IRC to investigate prisons and detention sites in Iraq without restriction.

Representatives of the Iraqi Government reported that they had the Iraqi list used by the coalition nations. They gave examples of the meager credibility of the official Kuwaiti list and of the presence of scores of cases—included on the official list—that the Kuwaiti authorities refused to take back via the IRC. They promised to make a list of those cases available as soon as possible.

The Iraqi Government representatives also raised the question of Iraqis who have disappeared in Kuwait, whether alive or dead, and demanded the Kuwaiti Government's cooperation in obtaining information on them.

The delegation met with the chairman and members of the IRC Committee in Iraq, who explained that what was now urgently required from the Kuwaiti side in order for the IRC committee to search for missing persons, was to provide an individual dossier for each missing person, containing all available data and personal pictures. The delegation recommends the cooperation of the National

Committee for Prisoner and Missing Persons Affairs and the Kuwaiti Society to Defend War Victims in compiling these individual dossiers, and updating the data through a comprehensive field investigation of each case before turning them over to the IRC.

The IRC representatives pointed out that imprisoned Kuwaitis living in Iraq told the IRC committee that they did not want to return to Kuwait. The representatives said that the committee's working rules prevented providing data about these persons to their government, that the Kuwaiti Government was still considering cases of reunification of those who registered their names with the IRC Committee as wanting to return to Kuwait. They said that the IRC Committee cannot verify the documents that they submitted.

The IRC Committee representatives also stated that there were 13,000 Iraqis detained in Saudi Arabia who refused to return to Iraq. They have lost their status as prisoners of war and have become refugees. Consequently, they are outside the IRC's jurisdiction. The Iraqi Government representatives said that general and special amnesty decrees cover these persons, and that Iraq would welcome their return.

The delegation believes that the Iraqi authorities have been able, and are still able, to confirm information that the delegation has, in order to improve the database on missing persons from both sides.

The delegation demands that the Iraqi Government expedite providing the requested information and calls on the Kuwaiti Government to expedite compiling accurate, individual dossiers for the missing persons.

The delegation thinks it unfortunate that the state of anarchy that accompanied the grave incidents in Kuwait and Iraq has finally changed, yet some missing person cases from both sides have not been settled. This confirms the importance of good intentions and sincere efforts on both sides in order to attain a satisfactory solution for all parties concerned, and to reduce the human suffering the lowest point possible.

3. Egyptian Colony in Iraq

The delegation reviewed available information with Iraqi officials on the immediate evacuation operations for Egyptians in Iraq, the mistreatment that accompanied this evacuation, and concerning those who prevented Egyptians from settling financial and family affairs in Baghdad and who did not allow sufficient time for that. In addition, a number of Egyptians were detained in various Iraqi prisons. The delegation was especially concerned about rumors concerning a number of Egyptian workers who were arrested and possibly tortured during the incidents in southern Iraq. The delegation also reviewed the injuries and mistreatment suffered by Egyptians inside deportation jails, in addition to giving the Iraqi authorities information on

approximately 80 Egyptians whose relatives have received no news of them, and whose fate is still unknown.

The Iraqi authorities stressed that there were orders from the highest Iraqi authorities to treat the Egyptians well and that they received the same treatment as Iraqis, even in terms of using the same system of food distribution. Despite those officials' denial that they had statistics on the number of Egyptians in Iraq, the Government of Iraq's answer to the Arab Human Rights Organization's report, which was handed directly to the delegation, set the number of Egyptians in Iraq in 1990 at 120,000; and in 1991 at 99,000.

It was stressed to the delegation that the problems faced by Egyptians in Iraq can be summarized as follows:

A. The expiration or loss of Egyptian passports without the existence of an interests section charged with renewing these passports; Despite an attempt by the Consular Office in the Iraqi Foreign Ministry to deny rumors that Iraqi identity cards had been linked to passport validity, these rumors were subsequently confirmed.

Because of the expiration of passports and, consequently, identity cards, Egyptian citizens were arrested and deported after spending a relatively long time in deportation jails. This also led to their mistreatment inside prison, and they were not given sufficient time to conclude business in Iraq. The Egyptian Government bears the biggest share of responsibility in this regard, because it did not send a delegation to look after Egyptian interests, despite the many months that passed after severing relations, and the large size of the Egyptian colony.

In this regard, the delegation asked the Iraqi Foreign Ministry to take action to extend the validity of identity cards for Egyptians in Iraq until the passport problem is resolved. The Iraqi officials promised to take this under advisement.

B. The problem of Egyptian workers' remittances in Iraq continues. The remittances stopped completely after Iraqi funds abroad were frozen.

C. Egyptian workers stated that communication problems with Egypt was one of their urgent problems. It was being rumored among them that Iraq had restored communications with Egypt, but that Egypt refused to receive these communications.

D. Some Egyptians remain in detention because of the incidents in the south and have not yet been brought to trial.

The Iraqi authorities promised that the delegation would be provided with a list of Egyptian prisoners, or detainees in Iraqi prisons, and the reasons for their arrest. They also promised that the delegation would be provided with any information that they have gathered on those about whom there has been no news. The

delegation had requested a visit to a deportation jail in Baghdad but received no response. Moreover, the delegation was unable to make an appointment to meet with any official from the Ministry of Labor and Social Affairs, which is the authority that oversees prisons in Iraq.

Iraqi officials showed interest in confirming that there were exaggerated numbers of Egyptians who have died in Iraq, and that this matter was being used for political purposes. They had submitted all their available information on cases of natural deaths, which occurred as a result of various accidents, to the Egyptian Government, as they occurred, up to January 1991. They furnished the delegation with lists of deaths among Egyptians in Iraq from January 1990 to the end of December 1990. The lists contained 451 deaths, compared to 1,136 deaths in 1989. The delegation noted discrepancies between the Iraqi authorities' statements to the delegation and the Arab Human Rights Organization's report, which stated that the number of Egyptian deaths for that period was only 232. Even though the data was not complete for the persons on the lists, initial analysis indicates that the clear causes of death for most of the dead was not from natural causes, but instead included cases of execution and murder. The organization is studying these lists in detail and will include the results in its final report.

4. Human Conditions in North and South in Light of Political Disturbances

The delegation brought up the reasons for its concerns about human conditions in the north and south of Iraq, in light of the political unrest there and the security measures that followed, affecting all human rights in those areas. Large numbers of people lost their lives, and a great number of citizens continue to be detained without trial. The delegation also asked about the latest developments in the ongoing discussions with the Kurdish political parties since the crisis; the number of detainees remaining without trial because of the incidents in the south; and the government's intentions for their trials or their release, because charges against them cannot be proven.

Concerning these problems, Iraqi officials reviewed the government's well-known views on this and briefly acknowledged the existence of a political problem in the north that is being negotiated with the Kurdish parties. There are still differences on certain issues, but efforts are being made to overcome them. The officials consider the disturbances in the south after the war as merely foreign aggression by Iran.

In response to the delegation's questions, Iraqi officials declined to comment on remaining problems concerning the agreement with the Kurdish parties in the north, because they view the negotiations as secret. They referred to published items about the negotiations as merely unofficial interpretations. They accused Iran of fomenting all acts of violence in the south. The Iraqi authorities' responses to the organization's report on

victims of this unrest showed 2,500 victims—during both the disturbances and the measures taken to confront them. They did not discuss the number of detainees or the circumstances of their arrest. One of the officials referred to the issuance of an official amnesty which included thousands of these detainees. The only exceptions were those who were charged with serious security crimes, such as murder, sabotage, and rape, and only a few hundred are still in detention. They will be brought to regular trial.

While the delegation expressed a desire to visit some areas in the north, especially al-Sulaymaniyah and Zakhu, officials declined because of security reasons. They did, however, express willingness to arrange a visit to al-Mawsil (to meet certain Kuwaiti families living in Iraq). The delegation decided such a visit would be inappropriate since the mission was under investigation. On the other hand, Iraqi officials expressed willingness to arrange for the delegation to visit al-Basrah—such an arrangement had been requested—to look into conditions there. Although communications were difficult in Baghdad, the rest of the delegation was summoned there to complete their work, which took longer than had been scheduled. Therefore, the delegation was unable to visit the south because there was insufficient time.

5. Civil and Political Rights

A. Emergency Laws and Regulations

The delegation raised with Iraqi officials the question of emergency laws and legal regulations that are considered the main feature of the Iraqi legislative structure. The delegation expressed its welcome of the recent announcement of the formation of a committee to reconsider these laws and regulations, as well as abolishing 30 of them. It requested a list of the decrees abolishing these laws. The delegation also particularly concentrated on the problem of the expanding use of the death penalty.

The officials stated that these emergency laws and decrees were issued in connection with emergency circumstances. They supplied the delegation with a list of the most important laws and decrees that have been abolished. They made it clear that they were interested in examining more laws and decrees, although that would take some time, since efforts were currently concentrated on confronting the state of economic blockade.

By examining the list of laws that were abolished, it was evident that they included 14 laws and decrees out of the 30 that have been abolished. However, it was unfortunate, from the delegation's point of view, that only unessential laws and decrees were subject to annulment (including five decrees pertaining to organizing employer relations with the work force, a decree on allowing retired officers to work with foreign organizations, and seven decrees pertaining to abolishing decrees limiting property rights). This occurred when the need

was increasing to re-examine many laws and decrees that are considered real civil and political rights problems in Iraq.

The delegation also made certain observations on ordinary laws in Iraq, especially the Iraqi Law of Criminal Proceedings accepting a confession even if it were made under torture, so long as it resulted in uncovering the crime. This is contradictory to the prevalent belief that a confession that results from torture is invalid, since it is considered the product of a crime. Criminal proceedings are not permissible if they are based on crimes when the legitimacy of evidence is applied.

The officials stated that there is a movement toward holding a legal conference later this month to study clarifying Iraqi law. They said that there was an intent to enact a body of laws to clarify the Iraqi legal structure's compatibility with international human rights charters, for the purpose of amending whatever is in disagreement with these charters.

B. Right To Assembly and To Organize Parties

The delegation raised with Iraqi officials the conditions pertaining to this right, both legal and practical, in light of the authorities' announcement of an official movement toward establishing political multiplicity and the issuance of a new Law of Political Parties in September 1991. The delegation referred to certain fundamental problems that are attached to the new law. These problems restrict the practice of this right, including inequality among political forces and administrative circles' role in approving the creation of parties and in interfering in their activities. The delegation also inquired about whether any of the political forces had expressed a desire to establish parties within this new framework.

The Iraqi officials acknowledged a problem with one of the law's articles, which gave the Ba'th Party the exclusive right to work within the armed forces and security forces. They explained it as the need for stability in this vital institution. They are hopeful that this problem is a transitional one that will disappear when the need vanishes. They also explained that one of the political forces has not yet come forward to register new political parties.

In the delegation's estimation, it is premature to talk about positive aspects of the new party law, inasmuch as there are still several laws—which the party law refers to as a benchmark for certain aspects of practicing this right—which actually impede its practice.

C. Detention

The delegation reviewed with officials the reports it has received on the existence of several groups of Iraqi detainees, or certain groups of non-Iraqis in detention centers, that have not been brought to trial. The delegation gave the Iraqi authorities five lists of these detainees' names and some information that it has about them (given to the Ministries of Interior and Foreign

Affairs). The delegation asked the Iraqi authorities to clarify the nature of the charges directed against them and whether or not they have been tried. It requested speedy trials for them or their release.

These lists were comprised of the following:

- A list of 44 Iraqi citizens, including religious ulema and seminary students who were arrested in al-Najaf between 20-23 March 1991;
- a list of 62 Lebanese, Bahraini, Indian, Afghani, Iranian, and Pakistani nationals, including religious ulema and seminary students who were arrested between 20-23 March 1991;
- A list of 166 Iraqis, belonging to 29 families, who were arrested immediately after the 6 September 1988 amnesty, from the governorates of Ninawa and Dahuk;
- A list of 63 Iraqi female citizens, about whom reports have reached the organization, who have been under arrest for many years, some as long ago as 1979, in several areas of Iraq;
- A list of 125 Iraqi citizens, some of whose arrests date back to 1980. Reports are continually being received by the organization.

Foreign Ministry representatives pointed out that they had lists, and they promised, along with Interior Ministry representatives, to investigate these lists and inform the organization of their investigation [results] at a later date. Moreover, the Interior Ministry's advisor pointed out that the prisons in Iraq have been reformed to make them compatible with human rights. They are subordinate to the Ministry of Labor and Social Affairs, not to the Interior Ministry.

Independent Judiciary and Judges' Guarantees

With the Iraqi chief public prosecutor, the delegation discussed the independence of the judiciary and its guarantees, and pointed out that there was interference by the minister of justice, who is a member of the executive authority, in judges' activities and in investigating judges. He is the one who calls judges' attention to legal and administrative errors (Article 57, Law of Judicial Organization) and hears disciplinary allegations against judges (Article 60). The judge's trial is conducted with a representative of the minister of justice present (Article 60 of that law). In addition, according to the Law of the Ministry of Justice, the Council of Justice, composed of some who are not judges, is tasked with administrative supervision over judges. Furthermore, the delegation brought up the stipulation of the Iraqi Law of Criminal Proceedings concerning the supreme president's right to stop the proceedings of judicial prosecution against subordinates at any time.

In this report, the Iraqi chief public prosecutor reported that a broad legal conference would be held in mid-December. One of the proposals is to abolish the Council of Justice. There will be a planning council, in addition to a council of judges, to consider their affairs. He reported that even in light of the current Council of

Justice's composition, when it investigates any matters concerning judges, the members who are non-judges withdraw from the session and only judges remain.

The chief public prosecutor stated that it was the right of the deputy public prosecuting assistants and judges to investigate all detention centers in the country. In addition, there is a joint committee composed of the chief of judicial investigation, the advisor to the minister of justice, and the chief public prosecutor, to visit all places of detention inside the country and determine the detainees' conditions.

As for the supreme president's right to stop judicial prosecution proceedings against subordinates, the Iraqi public prosecutor pointed out that this right is granted to ministers alone, and that it no longer infringes on judicial independence. However, it does involve certain matters, which he believes to be of no importance in terms of prosecuting the perpetrator, such as the crime of losing a passport.

The delegation believes that major interference by one of the members of the executive authority, especially in hearing criminal proceedings against judges, apprising them of their administrative and legal errors, and attending their trial, clearly violates judicial independence in Iraq, although the delegation did receive with satisfaction the confirmation by the chief public prosecutor that he has decided to look into changing these regulations during the above-mentioned legal conference.

6. Completion of Ratifying International Human Rights Charters

In this context, the delegation referred to the important need for Iraq to complete ratification of the international human rights charters, especially those that are in the context of international human rights law, led by the International Agreement To Oppose Torture. It also called on the Iraqi authorities to cooperate with UN human rights committees and their special reporter for human rights, who is scheduled to be sent to Iraq.

Iraqi officials stated that it was their intent to complete Iraq's ratification of international charters, along with its well-known reservations pertaining to texts that are incompatible with Islam. They also stressed their determination to cooperate with human rights committees and expressed interest in the upcoming visit of the special reporter, despite the fact that the timing of response to the special reporter's questions was arbitrary, since it imposed a rigorous timetable that was inappropriate for the amount of time imposed to respond to those queries.

**Al-Nahdah's Ghannouchi on Events in Algeria,
Ties To FIS**

PM1701154892 London AL-HAYAH in Arabic
16 Jan 92 p 4

[Safa Ha'iri report: "Ghannouchi Says: Suspension of Algerian Election Will Have Serious Repercussions on Arab World"]

[Text] London—Rached Ghannouchi, leader of the Tunisian opposition al-Nahdah Movement, who lives in exile, has said that last week's events in Algeria have created a "trouble area" in North Africa and will have a "negative impact" on the democratic process in the Arab and Islamic worlds. He also criticized the West for the policy of "double standards" pursued by its governments toward the application of democracy throughout the world.

In an interview with AL-HAYAH, Ghannouchi expressed his regret at Algerian President Chadli Bendjedid's resignation, which he believes was imposed on him. He said: "Whether he stepped down or was forced to do so, the result is the same—the democratic process, conducted for the first time ever in any part of the Arab world, has been crushed." He added: "The suspension of the Algerian elections before the second round will have 'serious repercussions on the entire Arab world.'"

Ghannouchi also said that the events in Algeria will not have an automatic effect on neighboring Tunisia, but will not help to bolster the democratic process in his country [sentence as published]. However, he said that you cannot turn the clock back and that the wind of freedom and democracy blowing from East Europe will not stop at the borders of the Arab and Islamic worlds.

Ghannouchi lives in Britain, after France refused to grant him an entry visa. Although he mentioned what he termed an "extensive abuse of power" (by the Tunisian Government) and his feeling that he was "betrayed," he said that he was willing to engage in a dialogue and to proffer his hand to cooperate—"on certain minimum conditions"—with the Tunisian Government in order to create a new political climate, to restore confidence, and to grant political freedom to all parties and organizations.

Asked about the form of Islamic rule that would be established in Tunisia if the al-Nahdah Movement assumed power there, Ghannouchi replied: "Nothing would be imposed on the people, including women." He added that he would not include the rules of Islamic shari'ah [religious law] in the Constitution.

Asked about his future relations with Abbasi Madani, leader of the Islamic Salvation Front [FIS] in Algeria, and Dr. Hasan al-Turabi, leader of the National Islamic Front in Sudan, Ghannouchi replied with some annoyance: "We are bound by ties to all the political forces in the Islamic and Arab worlds, and to all parties, both Islamic and secular. We are proud of our relations with

the FIS. But we also have cordial relations with the socialist forces (in Algeria, under Hocine Ait Ahmed, which are opposed to the FIS line.) But the question is: Why are Islamic movements considered evil? Why are they regarded as undemocratic?"

Arab Court of Justice Formation Discussed**Fashioned After Security Council**

92AE0204A Riyadh AL-RIYAD in Arabic 25 Jan 92
pp 1, 22

[Article by Fu'ad Sa'd: "Arab Court of Justice on Way To Being Established"]

[Text] Cairo—Dr. 'Ismat 'Abd-al-Majid, the secretary general of the Arab League, said that the Arab League charter would soon be amended to establish an Arab Court of Justice to rule on any conflict or disagreement arising between Arab states. He said that the roots of the Iraqi invasion of Kuwait still prevent achieving Arab harmony. Arab disagreements would end, he indicated, when each Arab party respected the other and when the wrongdoer acknowledged his error.

These comments were made in an interview that the Arab League secretary general gave to AL-RIYAD. Responding to a question about the league's efforts to restore Arab harmony, he said that since assuming his office in the Arab League he had made two tours to try to achieve this goal. However, he also acknowledged that the roots of the Iraqi invasion of Kuwait still prevented the achievement of the desired harmony; they constituted a stumbling block in the way of the efforts that have been made, and made the task of the Arab League difficult. He expressed his hope that in the near future he would be able to make similar tours to mend the rupture that the crisis had caused. He called on the Arab nation to overcome its conflict and quickly overcome disagreements that the crisis had produced.

Asked whether he thought that, as a first step toward realizing this goal, the wrongdoer should acknowledge his error, Dr. 'Ismat 'Abd-al-Majid said that "Arab disagreements, in general, arise because each party does not respect the other's opinion. When we disagree or make mistakes as Arabs, we should acknowledge the disagreement or error and turn to the Arab League to decide such matters." He revealed that, in order to realize this objective, the Arab League charter would be amended in the near future to establish an Arab Court of Justice to rule on any conflict or disagreement arising between Arab states. He emphasized the necessity of abiding by the rulings of this court.

On the question of whether there existed a system of deterrent sanctions and penalties in the Arab League like those of the Security Council, for example, Dr. 'Abd-al-Majid explained that "We have not yet reached the point of establishing such a system in the league. In cases of aggression the voting system in the league requires

unanimity, meaning that every member state in the league has the right of veto, thereby preventing decisions from being made."

He said that agreement had been reached with brother countries to remedy this point when the Arab League charter is amended, which will take place soon, God willing, by adding "supplements" to the current charter, rather than by comprehensive change.

The secretary general revealed the existence of a study to establish an Arab peacekeeping force like the forces that went to Kuwait in 1963. Dr. 'Abd-al-Majid said that the security of the Arab region ought to be Arab, but indicated that the league does not deprive any state of its right to conclude agreements with whatever countries it wishes, based on its sovereignty and independence.

Concerning the Arab League's efforts to release Kuwaiti prisoners, he said that the league had made great efforts concerning this humanitarian matter by sending an emissary to Iraq, but "there are problems I cannot reveal."

On the peace efforts now underway between the Arabs and Israel, the secretary general of the Arab League stated that, for the first time, agreement had been achieved on the process of peaceful settlement and holding negotiations with Israel.

The negotiations, he explained, would be lengthy, and the Arab side would have to be patient in the face of Israel's provocations. He expressed the Arab League's readiness to participate in the multilateral negotiations to be held on regional issues, but indicated that the matter was for the Arab governments to decide for themselves.

Honesty, Integrity Deemed Essential

92AE0204B Riyadh AL-RIYAD in Arabic 27 Jan 92 p 1

[Editorial: "So That Arabs Will Not Remain Long in Darkness"]

[Text] The ties of Arab politics will remain weak and virtually inoperative as long as the urge to dominate exists, with motives that resemble nothing so much as an intertribal struggle between Arab regimes. The Kuwait experience is not a wound that can be healed easily, for the destiny of the Gulf will be threatened by storms if the instincts of some Arab leaders transcend political postures to declare war on Saddam Husayn. Yet there are some who wanted it to be an amateur theatrical that would end with the last scene, on the grounds that what had happened had been a misreading—"and God has forgiven what is past." However, the effects that these postures left are difficult to overcome with good intentions, as long as those who committed the crime remain free to practice their deeds with no deterrent to control their behavior.

The Arab League, to which Saddam Husayn's partisans are trying to turn to mend the breach, restore matters to

their normal course, and free the Arab situation from its broad disagreements, is not plausible. If the Arab League represents the Arabs and their conscience, it must open the record of the Gulf war publicly; it must try the accused parties in a manner befitting national ethics; it must become the form within which we deal with each other. Even what the secretary of the Arab League said to this newspaper about amending the charter and forming an Arab court—this idea, we know, depends on unanimous approval of the proposal, which will not be practical while there are countries that have rejected, in principle, the charter as a binding law. Raging hostilities emerged within the sanctuary of the league while there were still voices before the outbreak of the war. During the occupation of Kuwait Saddam's aggression was backed by a language that resembled nothing so much as a declaration of war against Arab solidarity. Certainly, even if we categorize such behavior as a mistake, we cannot free it from unconditional responsibility for the invasion of a country and the eradication of its identity and its membership in the Arab and international community.

Arab disagreements are not, as some allege, of foreign manufacture; they are the entrenchment of weak ethics in mutual dealings. The gains of the countries that declared their war against Kuwait and forgot what they were gaining from gifts, loans, or the flow of workers that was a factor in the stability of those countries—these gains are the lessons that have showed the size of the error, not for the leaders of those countries, but for the peoples. The latter have realized the size of their losses and the difficult circumstances they have faced and will face in the long-term future.

The Arab mind will not be freed from its successive crises by courtesies exchanged at meetings or by friendly letters lacking honesty. Rather, it will happen by revealing the facts by announcing who is the wrongdoer to be censured in relations, along with all the circumstances that contributed to the Gulf's being a scene of war, disagreements, and policies that announced their aggression against the Gulf's people without error, or even a small amount of error. Perhaps the consciousness of Gulf citizens who had their destiny, their existence, and their children's future threatened by the war will not countenance reconciliation merely because an Arab president wants to justify his error so as to guarantee himself a line of retreat. Language such as this ended in the time of peace. Its circles multiplied at the time of the war and after the defeat of Saddam, his allies, and those who orbited in his narrow circle.

We are the first to support the Arab Court of Justice, provided that it represents justice with its values and correct procedures and differentiates shades from each other, so that the Arabs do not remain in darkness.

Iran Called Upon for Border, Sovereignty Respect

92AE0205A Paris AL-DUWALIYAH in Arabic 6 Jan 92 pp 26, 27

[Article by Amin al-Siba'i: "Gulf Countries Call Iran to Positive, Balanced Order"]

[Text] Kuwait—Eager to build positive relations with Iran, the Gulf countries are calling Iran to balanced cooperation that does not encroach on borders or vault over sovereignty. Will Iran decide to enter the new order through this gate, or will it look for other gates?

Leaders of the GCC [Gulf Cooperation Council] countries left Kuwait after the conclusion of the Gulf summit there last week, each with his mind and soul full of obvious hope for the success of the efforts being exerted and the contacts being made between the GCC countries and certain regional countries to establish official relations with each of them in a sound, positive framework beginning with the new year.

The Gulf leaders saw the remaining years of the current century as the beginning of the end of an old era that dominated the region and world, an era in which, and because of which, wars and disputes proliferated.

The leaders affirmed their desire to re-strengthen their countries' relations with neighboring countries on objective, conscious, and positive foundations, in preparation for their entering the new age, whose characteristics will crystallize with the beginning of the coming century.

The Gulf leaders' general and bilateral discussions at the Kuwait summit and their attention focused on countries bordering the region, the Iranian Republic in particular. They were looking for the best means to normalize relations with it and deal with its legitimate government in order to achieve what will bring profit and benefit to everyone. They were seeking to turn the page on the past, with its negative factors that, for many years, cast a shadow over these relations.

In discussing the record of relations with Iran, the Gulf leaders passed over many of the pages that chronicle the years following the fall of the shah, the policy adopted by the regime that replaced him, and the Iraq-Iran War. They preferred to lay new foundations for new relations based on cooperation and mutual understanding of what will benefit the region and its peoples, leaving aside all the reasons for suspicion that could sully these goals.

After the end of the business of the six-country summit, AL-DUWALIYAH held an exclusive interview in Kuwait with one of the Gulf ministers. In the course of his conversation about the Gulf view of future relations with Iran, the minister said: "The leaders of the Gulf countries discussed developments in the diplomatic and ministerial contacts that have taken place with the Iranian Government. They decided to continue these contacts with Iran on various levels during the new year as part of their general desire to improve relations with Iran and agree with its government on everything that

will tend to provide the ingredients for stability, security, and growth in all countries of the region."

He added that the Gulf countries were determined to continue the path of dialogue with Iran on the basis of an initial position based on the foundation of mutual desire for the security and stability of each state.

The Gulf minister said that the Gulf leaders had decided at the Kuwait summit that the dialogue with the Iranian Government would continue this year in order to learn Iran's ideas and views on the principles on which this cooperation and normalization of relations with all GCC countries would be based, in accordance with a program of definite details and provisions. It would thus be possible to reach the goals that had been raised for discussion at the meetings between Gulf and Iranian officials last year, including last September's meeting with the Iranian foreign minister in New York.

During his conversation, the Gulf minister referred to GCC documents on the subject, including a report which the GCC foreign ministers issued this month, to summarize the basic principles on which the Gulf view of the shape of the proposed cooperation with Iran rests.

The Gulf countries are concerned that positive relations with Iran should be built on a series of fundamental principles. These include:

- mutual desire for good neighborliness,
- mutual respect,
- noninterference in any country's internal affairs,
- condemnation and opposition to any subversive activity undertaken by anyone anywhere,
- respect for national sovereignty and independence,
- ending attacks and threats directed against GCC countries,
- stopping waves of tension in the region,
- safeguarding joint interests and the safety and security of the countries,
- respect for each country's interests,
- freedom of navigation in Gulf waters,
- and maintenance of the Gulf countries' right to make whatever decisions and measures they consider appropriate to preserve their security and stability and protect their safety and sovereignty.

The Gulf minister added: "There are signs that the Iranian Government wishes to establish comprehensive cooperation with the countries of the region. All these issues will be discussed at the meetings scheduled to be held in Tehran during the current year. They will culminate in a visit by GCC General Secretary 'Abdallah Bisharah to Tehran, then in ministerial meetings to be held between the two sides. The discussions that began between the two sides in New York will be completed."

The question that demands to be asked today is whether matters and positions have so changed in Iran that one can be optimistic about the possibility of reaching a comprehensive agreement that will replace the negative policy that has characterized the Iranian position since

the beginning of the current Iranian regime, with the positive foundations in the principles of the Gulf dialogue.

Some pessimists and holders of opinions based on past experiences answer that it would be a grave mistake to be overly optimistic and to believe that the Iranian regime has completely abandoned its basic policy that is embodied in many signs, some of which are still being applied.

One sign is the continuing strength of hard-liners in Iranian influential circles, with its opposition to Iranian President Hashemi Rafsanjani's policy, its call for "exporting the revolution" to neighboring countries, its support for extremist groups, its funding of movements opposing the Arab regimes, its raising of slogans of rebellion against legitimate governments, and its opposition to the Middle East peace process.

Other signs include the pressing of a pretended Iranian right to the leadership role in the Islamic world; the claim to a right to make Iran a partner in political and security decisions concerning the Gulf countries; opposition to some of these countries' policy of concluding defensive security agreements with Western countries such as the United States and Britain, or even with Arab countries such as Egypt and Syria; and the attempt to replace all this with the security formula that Iran believes is based on considering Iran an effective partner to the Gulf countries in protecting security and defending the region.

Iran has tried to affirm these convictions and highlight them on various occasions, most recently on the eve of the first sessions of the GCC countries' summit in Kuwait. Iran summoned the ambassadors of the GCC countries in Iran to a meeting at the Foreign Ministry in

Tehran. The topic for discussion was "the overall position in the region and presentation of the Iranian point of view on all the issues on the discussion table."

GCC circles say that Iranian officials understand the realities of the change sweeping the world and are showing a strong desire for mutual understanding on new bases of cooperation. "We are expressing agreement with this desire, setting definite conditions and aims. It would be wrong to anticipate events and results with rejection, doubts, and reasons for despair. We must embark on the experiment of dialogue with Iran to its end, when all the realities will become apparent."

These sources added that the Gulf summit is confident that this year it will reach internal agreements on a new security system for the region. It will be a system based on a principles, including increasing the strength of each country, strengthening their cooperation in the context of the Peninsula Shield system, the Damascus Declaration, bilateral agreements with friendly countries, and the freedom to make decisions without influencing or being influenced by other countries.

In light of this, this year Iran is expected to affirm its respect for the principles of balanced, mutual cooperation that avoids the internal affairs of each country.

In the end, the issue is an issue of destiny, not one of waiting to take advantage of emergency circumstances and attempting to realize individual gains at the expense of peoples and nations. In light of the new world order being formed today, there is no room for a policy of handing out "prizes" to any group.

The door of discussion remains opened by the Gulf side to positive, balanced cooperation with Iran and other countries in all fields, without encroaching on borders or vaulting over rights, sovereignty, and independence.

Will Iran decide to enter this world through this gate, or will it turn to other gates?

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